

CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING  
HELD IN THE COUNCIL CHAMBERS  
260 ORANGE TREE DRIVE  
ATLANTIS, FL 33462  
August 25, 2015  
9:00 am  
MINUTES

Special Magistrate B. Douglas MacGibbon presided over the hearing, which commenced at 9:00 a.m. In attendance were: City Attorney Jack Rice, Sergeant Sean Mahoney, and City Clerk Kristen Puhalainen.

All parties were sworn in by Special Magistrate MacGibbon.

**Case No. 15-90      JFK Medical Center      5503 S. Congress Ave.**

**FINE ASSESSMENT HEARING** Section 4-61 (a) of the Code of Ordinances of the City of Atlantis: The carport is in disrepair.

Mr. Rice introduced the case file into evidence. Sergeant Mahoney testified to the facts of the case. Jacqueline Villamayor, Property Manager with Holladay Properties, and Hugh Haines with Bricar Enterprises testified. The Special Magistrate ordered that a fine in the amount of two-thousand five hundred dollars is assessed at a daily amount of one hundred dollars per day for the violation that has existed on the property from July 31, 2015 until August 25, 2015. The respondent was assessed one hundred two dollars and fifty-eight cents for the unpaid administrative costs incurred in prosecuting the July 21, 2015, as well as assessed ninety-six dollars and four cents for the administrative costs incurred in prosecuting the August 25, 2015 hearing.

**Case No. 15-96      Neal T. McDyer Estate      261 Gleneagles Drive**

**REPEAT VIOLATION HEARING** Section 4-61 (a) (6) (b) of the Code of Ordinances of the City of Atlantis: Property is below Minimum Property Standards. Lawn is overgrown, pool is green.

Mr. Rice introduced the case file into evidence. Sergeant Mahoney testified to the facts of the case. Shaun McDyer testified on behalf of the estate. The Special Magistrate ordered that the Respondent immediately comply with section 4-61(a)(6)(b) of the Code of Ordinances of the City of Atlantis. A fine of one thousand four-hundred dollars is hereby assessed for this repeat violation in the amount of one hundred dollars per day from August 11, 2015 until August 25, 2015, and to continue until compliance is achieved. Additionally, Respondent is assessed the City's administrative costs of ninety-seven dollars and thirty-nine cents. The City may immediately abate the violations by taking reasonable actions to abate the unsanitary lawn conditions (excessive overgrowth) and treat the pool for possible insect infestation pursuant to the legislative authority granted to the City by section 162.09, *Florida Statutes*.

The hearing adjourned at 9:28 a.m.

Kristen Puhalainen  
City Clerk

NOTE: A mechanical recording has been made of the foregoing procedures of which these minutes are a part, and is on file in the office of the City Clerk.